APR 2 3 2005

Our Ref. No.: 015675.P291

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jean-Francois Penneau et al.,

) Examiner: VO, Hai

Application No.: 09/367,081

Art Unit: 1771

Filed: January 24, 2000

For: POROUS COMPOSITE PRODUCT IN PARTICULAR WITH A HIGH SPECIFIC SURFACE, PREPARATION PROCESS AND ELECTRODE FORMED OF A POROUS COMPOSITE FILM FOR AN ELECTRO-CHEMICAL ASSEMBLY

Mail Stop - AF Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

SUPPLEMENTAL TERMINAL DISCLAIMER TO CORRECT TYPOGRAPHICAL ERROR

Dear Commissioner:

In connection with the Office Action mailed December 20, 2004 regarding the above-referenced application, the Examiner requested that Applicant file a terminal disclaimer to overcome the provisional obviousness-type double patenting rejection. In response, Applicant submitted a Terminal Disclaimer in compliance 37 CFR 1.321(c) responsive to the provisional rejection under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 – 24 of co-pending Application No. 10/390,422 (US 2003/0175494). However, Applicant notes a typographical error in the Terminal Disclaimer in which "Martin Schrimpf Warcoin Aher" was inadvertently listed as the "owner" of Application No. 09/367,081 and the pending second application Number 10/390,422. Accordingly, Applicant respectfully requests entry of the supplemental Terminal Disclaimer, which correctly lists BOLLORE as the "owner" of Application No. 09/367,081 and the pending second application Number 10/390,422.

Respectfully submitted,

BLAKELY, SØKOLOFF, TAYLOR, & ZAFMAN

Dated: April 26, 2005

rid S. Hyman, Reg. No. 30,139

CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class Mail, With Sufficient Postage, In An Envelope Addressed To: Mail Stop AF Commissioner For Patents, P.O. Box 1340, Alexandria, VA 22313-1450

Linda Marie D'Elia

By:

APRIL 26, 2005

12400 Wilshire Boulevard Seventh Floor Los Angeles, California 90025 (310) 207-3800 APR 2 9 2015

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

15675P291

In re the Application of: Jean-Francois PENNEAU, et al.

Application No.: 09/367,081 Filed: January 24, 2000

For: PC

POROUS COMPOSITE PRODUCT, IN PARTICULAR WITH A HIGH SPECIFIC SURFACE,

PREPARATION PROCESS AND ELECTRODE FORMED OF A POROUS COMPOSITE FILM FOR AN

ELECTROCHEMICAL ASSEMBLY

The owner*, <u>Bollore</u> of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number <u>10/390,422</u>, filed on <u>March 17, 2003</u>, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

For submissions on behalf of an undersigned is empowered to act or	organization (e.g., corporation, partnership, university, gov in behalf of the organization.	ernment agency, etc.), th
statements made on information an made with the knowledge that will imprisonment, or both, under Section	statements made herein of my own knowledge d belief are believed to be true; and further that ful false statements and the like so made are in 1001 of Title 18 of the United States Code and ty of the application or any patent issuing thereon.	these statements wer punishable by fine of
2. The undersigned is an attorney of the undersigned is at the under	record.	ylader
	Signature	Date
	Eric S. Hyman, Reg. No. 30,139 Typed or printed name	(310) 207-3800 Telphone Number

Terminal disclaimer fee under 37 CFR 1.20(d) included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.